

(MANx),CLOSED,DISCOVERY,MANADR,RELATED-G

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:08-cv-03363-CAS-MAN**

California Medical Association et al v. Sandra Shewry et al
Assigned to: Judge Christina A. Snyder
Referred to: Magistrate Judge Margaret A. Nagle
Related Case: 2:08-cv-03315-CAS-MAN
Case in other court: Superior Court of CA for the County of Los Angeles, BC390126
Cause: 28:1441 Notice of Removal – Injunctive/Declaratory Relief

Date Filed: 05/21/2008
Date Terminated: 06/23/2008
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

Petitioner

California Medical Association

represented by **Byron J Gross**
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Petitioner

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Petitioner

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Petitioner

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Petitioner

**American College of Emergency
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Petitioner

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Petitioner

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Petitioner

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Petitioner

California Medical Association, et al.

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V.

Respondent

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*Director of the Department of Health
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Respondent

**California Department of Health Care
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Sara Ugaz
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Tara L Newman
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Date Filed	#	Docket Text
05/21/2008	<u>1</u>	NOTICE OF REMOVAL from Superior Court of CA for the County of Los Angeles, case number BC390126 with CONFORMED FILED copy of summons and complaint. Case assigned to Judge Dale S. Fischer, Discovery to Magistrate Judge Carolyn

		Turchin. (Filing fee \$ 350 PAID.), filed by Respondents Sandra Shewry, California Department of Health Care Services. (et) (Additional attachment(s) added on 5/29/2008: # <u>1</u> Notice of Assignment, # <u>2</u> Civil Cover Sheet) (ds). (Entered: 05/23/2008)
05/21/2008	<u>2</u>	NOTICE of Interested Parties filed by Respondents Sandra Shewry, California Department of Health Care Services. (et) (ds). (Entered: 05/23/2008)
05/21/2008	<u>3</u>	CERTIFICATE OF SERVICE of Respondents Notice to Adverse Party of Removal to Federal Court filed by Respondents Sandra Shewry, California Department of Health Care Services, served on 5/21/2008. (et) (ds). (Entered: 05/23/2008)
05/21/2008	<u>4</u>	NOTICE TO PARTIES OF ADR PILOT PROGRAM filed. (et) (Entered: 05/23/2008)
05/21/2008		FAX number for Attorney Lloyd A Bookman, Byron J Gross, Jordan Brian Keville is 310-551-8181. (et) (Entered: 05/23/2008)
05/21/2008		FAX number for Attorney Craig J Cannizzo, Felicia Y Sze is 415-875-8519. (et) (Entered: 05/23/2008)
05/21/2008		FAX number for Attorney Phillip J Matsumoto, Tara L Newman, Sara Ugaz is 213-897-2805. (et) (Entered: 05/23/2008)
05/22/2008	<u>5</u>	STANDING ORDER For Cases Assigned to Judge Dale S. Fischer <u>1</u> . (bm) (Entered: 05/23/2008)
05/22/2008	<u>6</u>	ORDER SETTING SCHEDULING CONFERENCE by Judge Dale S. Fischer. Date: 7/14/08 Time: 11:00 a.m. READ THIS ORDER CAREFULLY. IT DIFFERS IN SOME RESPECTS FROM THE LOCAL RULES (see document for further details). (bm) (Entered: 05/23/2008)
05/23/2008	<u>7</u>	NOTICE of Related Case(s) filed by Respondents Sandra Shewry, California Department of Health Care Services. Related Case(s): 08-03315 (Ugaz, Sara) (Entered: 05/23/2008)
05/23/2008	<u>8</u>	CORPORATE DISCLOSURE STATEMENT identifying NONE as Corporate Parent. (Gross, Byron) (Entered: 05/23/2008)
05/23/2008	<u>9</u>	EX PARTE APPLICATION to Shorten Time for Hearing filed by Petitioners California Medical Association, et al.. (Attachments: # <u>1</u> Supplement Memorandum of Points and Authorities in Support of Ex Parte Application# <u>2</u> Declaration Declaration of Byron J. Gross re Notice# <u>3</u> Proposed Order Granting Ex Parte Application)(Gross, Byron) (Entered: 05/23/2008)
05/27/2008	<u>10</u>	MEMORANDUM of Points and Authorities in Opposition filed by Respondents Sandra Shewry, California Department of Health Care Services. Re: EX PARTE APPLICATION to Shorten Time for Hearing <u>9</u> (Ugaz, Sara) (Entered: 05/27/2008)
05/27/2008	<u>11</u>	ANSWER TO COMPLAINT AND PETITION FOR INJUNCTIVE RELIEF; DECLARATORY RELIEF; AND WRIT OF MANDATE filed by Respondents Sandra Shewry, California Department of Health Care Services.(Ugaz, Sara) (Entered: 05/27/2008)
05/27/2008	<u>12</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Incorrect event selected. Correct event is Motions and Related Filings / Responses/Replies. In response to this notice the court may order: (1) an amended or corrected document to be filed; (2) the document stricken; or (3) take other action as the court deems appropriate. RE: Memorandum of Points and Authorities in Opposition (non-motion) <u>10</u> . (mg) (Entered: 05/28/2008)
05/28/2008	<u>13</u>	MINUTES OF IN CHAMBERS ORDER held before Judge Dale S. Fischer re Order DENYING Petitioners' Ex Parte Motion for Order Shortening Time For Scheduling of Motion To Remand <u>9</u> : On May 23, 2008, Petitioners filed an Ex Parte Motion for Order Shortening Time For Scheduling of Motion To Remand (Motion). As Petitioners have not filed the motion they seek to expedite, the Court cannot properly evaluate the request. The Court therefore DENIES Petitioners Motion. (bm) (Entered: 05/28/2008)

05/28/2008	<u>14</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 08-05 -Related Case- filed. Related Case No: CV 08-3315 CAS (MANx). Case transferred from Judge Dale S. Fischer and Magistrate Judge Carolyn Turchin to Judge Christina A. Snyder and Magistrate Judge Margaret A. Nagle for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 08-3363 CAS (MANx).Signed by Judge Christina A. Snyder (rn) Modified on 5/30/2008 (at). (Entered: 05/28/2008)
05/30/2008	<u>15</u>	EX PARTE APPLICATION to Shorten Time for Hearing to June 16, 2008 <i>on Motion for Remand</i> filed by PETITIONERS California Dental Association, California Association For Adult Day Services, American College of Emergency Physicians, Inc., State Chapter of California, Inc., California Pharmacists Association, California Medical Association, California Association of Public Hospitals and Health Systems, California Medical Association, et al., California Hospital Association.(Keville, Jordan) (Entered: 05/30/2008)
05/30/2008	<u>16</u>	NOTICE OF MOTION AND MOTION to Shorten Time for Hearing on to June 16, 2008 <i>on Motion for Remand</i> filed by PETITIONERS California Dental Association, California Association For Adult Day Services, American College of Emergency Physicians, Inc., State Chapter of California, Inc., California Pharmacists Association, California Medical Association, California Association of Public Hospitals and Health Systems, California Medical Association, et al., California Hospital Association. Motion set for hearing on 6/23/2008 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Declaration OF BYRON J. GROSS, # <u>2</u> Proposed Order)(Keville, Jordan) (Entered: 05/30/2008)
05/30/2008	<u>17</u>	NOTICE OF MOTION AND MOTION to Remand Case to LOS ANGELES SUPERIOR COURT filed by PETITIONERS California Dental Association, California Association For Adult Day Services, American College of Emergency Physicians, Inc., State Chapter of California, Inc., California Pharmacists Association, California Medical Association, California Association of Public Hospitals and Health Systems, California Medical Association, et al., California Hospital Association. Motion set for hearing on 6/23/2008 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Supplement Memorandum of Points and Authorities, # <u>2</u> Proposed Order)(Keville, Jordan) (Entered: 05/30/2008)
05/30/2008	<u>18</u>	OF SERVICE filed by PETITIONERS California Dental Association, California Association For Adult Day Services, American College of Emergency Physicians, Inc., State Chapter of California, Inc., California Pharmacists Association, California Medical Association, California Association of Public Hospitals and Health Systems, California Medical Association, et al., California Hospital Association, re EX PARTE APPLICATION to Shorten Time for Hearing to June 16, 2008 <i>on Motion for Remand</i> <u>15</u> , MOTION to Remand Case to LOS ANGELES SUPERIOR COURT <u>17</u> , MOTION to Shorten Time for Hearing on to June 16, 2008 <i>on Motion for Remand</i> <u>16</u> served on May 30, 2008. (Keville, Jordan) (Entered: 05/30/2008)
06/02/2008	<u>19</u>	MEMORANDUM in Opposition to EX PARTE APPLICATION to Shorten Time for Hearing to June 16, 2008 <i>on Motion for Remand</i> <u>15</u> filed by Respondents Sandra Shewry, California Department of Health Care Services. (Ugaz, Sara) (Entered: 06/02/2008)
06/03/2008	<u>20</u>	DENIED BY ORDER of Judge Christina A. Snyder Proposed Order Granting Ex Parte Application for Order Shortening Time for Scheduling of Motion for Remand <u>15</u> . (gk) (Entered: 06/04/2008)
06/09/2008	<u>21</u>	MEMORANDUM in Opposition to MOTION to Remand Case to LOS ANGELES SUPERIOR COURT <u>17</u> filed by Respondents Sandra Shewry, California Department of Health Care Services. (Ugaz, Sara) (Entered: 06/09/2008)
06/16/2008	<u>22</u>	REPLY to OPPOSITION to MOTION to Remand Case to LOS ANGELES SUPERIOR COURT <u>17</u> filed by Petitioner California Medical Association, et al.. (Gross, Byron) (Entered: 06/16/2008)
06/16/2008	<u>23</u>	DECLARATION of CRAIG J. CANNIZZO re Abstention in Support of MOTION to Remand Case to LOS ANGELES SUPERIOR COURT <u>17</u> filed by Petitioner California Medical Association, et al.. (Gross, Byron) (Entered: 06/16/2008)

06/18/2008	<u>24</u>	OF SERVICE filed by Petitioners California Medical Association, et al., re Declaration (Motion related) <u>23</u> , Reply (Motion related) <u>22</u> served on June 17, 2008. (Gross, Byron) (Entered: 06/18/2008)
06/19/2008	<u>25</u>	NOTICE OF MOTION AND MOTION to Dismiss Petitioner's Complaint and Petition for Injunctive Relief, Declaratory Relief, and Writ of Mandate filed by Respondents Sandra Shewry, California Department of Health Care Services. Motion set for hearing on 7/14/2008 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Supplement Request for Judicial Notice in Support of Motion to Dimiss, # <u>2</u> Proposed Order Granting Request for Judicial Notice)(Ugaz, Sara) (Entered: 06/19/2008)
06/23/2008	<u>26</u>	MINUTES OF Motion Hearing on Petitioner's Motion for Remand <u>17</u> held before Judge Christina A. Snyder. Motion is taken under submission. The Court will issue a final order. Court Reporter: Laura Elias. (cj) (Entered: 06/23/2008)
06/23/2008	<u>27</u>	ORDER REMANDING THE ACTION TO THE LOS ANGELES COUNTY SUPERIOR COURT by Judge Christina A. Snyder: The Court finds and concludes that petitioners' claims for relief do not give rise to a federal question, such that this action was improperly removed from state court. The Court GRANTS Petitioners' Motion to Remand <u>17</u> ; remanding case to Los Angeles Superior Court, Case number BC 390126. (MD JS-6. Case Terminated) (Attachments: # <u>1</u> CV-103 Remand Transmittal Letter) (gk) (Entered: 06/23/2008)
07/07/2008	<u>28</u>	Receipt of copy of remand transmittal letter from Los Angeles Superior Court, Case No. CV BC 390126, acknowledging receipt on 6/27/2008. (gk) (Entered: 07/08/2008)
11/05/2013	<u>29</u>	MINUTES (IN CHAMBERS) STAY OF PROCEEDINGS by Judge Christina A. Snyder: By order dated 7/8/2013, the Court directed the parties in these matters to submit a joint status report. Dkt. #242, in case no. 2:11-CV-09688-CAS(MANx). The joint status report was filed on 7/23/2013. Dkt. #243, in case no. 2:11-CV-09688-CAS(MANx). The Court has reviewed the parties' positions set forth therein, as well as the issues presented by the petition for writ of certiorari now pending in the United States Supreme Court, see Supreme Court Docket No. 13-253. Based on the foregoing, the Court finds that there is good cause to stay the proceedings or, if applicable, to continue the existing stay of the proceedings in the above-entitled cases, pending notification from this Court. The parties are directed to file a joint status report with this Court within 14 days after the Supreme Court has taken any action with respect to the above-referenced petition for writ of certiorari. Court Reporter: Not Present. (gk) (Entered: 11/06/2013)